

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gregory Pinchaski
Serial No.: 10/619,837
Filed: July 14, 2003
Title: LONGITUDINALLY FLEXIBLE STENT

Confirmation No.: 7636
Group Art Unit: 3734
Examiner: Bui, Vy Q.

**Terminal Disclaimer Under 37 C.F.R. §1.321(C)
To Obviate Provisional Double Patenting Rejection**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Identity of Assignee

The petitioner, Medinol, Ltd., having a business address at P.O. Box 58165, Kiryat Atidim, Building 7, 5th Floor, Entrance A, Tel Aviv, ISRAEL 61581 is the owner of the entire right, title and interest in the above-identified application, Serial No. 10/619,837, by virtue of an assignment recorded on March 18, 2000, at Reel/Frame No(s) 010853/0261. The petitioner is also the owner of the entire right, title and interest in U.S. Patent No. 7,141,062, by virtue of the above recorded assignment.

Identification of Person(s) Making This Disclaimer

Name of disclaimant: Sonja Keenan. Disclaimant represents that he/she is a Registered Patent Attorney, Registration No. 56,390, and an Attorney of Record for

the above-identified application, and authorized to sign on behalf of the assignee identified above.

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. 3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

Disclaimer

The petitioner, through its Attorney of Record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of the United States Patent No. 7,141,062 and the United States Patent No. 6,723,119. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it has and United States Patent No. 7,141,062 and United States Patent No. 6,723,119 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 7,141,062 and United States Patent No. 6,723,119, in the event that U.S. Patent

No. 7,141,062 or 6,723,119 expired for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in a whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

☒ large entity – fee \$130.00

☐ small entity – fee \$64.00

Fee Payment

☐ Attached is a check in the sum of \$.

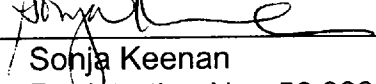
☒ Charge Deposit Account 50-4387, Order No. 92077.003us7 any fee required by this paper.

AUTHORIZATIONS:

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Terminal Disclaimer under 37 C.F.R. §§1.16-§1.20 or credit any overpayment to Deposit Amount No. 50-4387, Order No. 92077.003us7.

Respectfully submitted,
Cadwalader, Wickersham & Taft LLP

Dated: February 4, 2008

By: 
Sonja Keenan
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